



DEPARTMENT OF STATE
ACTION MEMORANDUM

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To: The Deputy Secretary
Through: T - Mrs. Benson
From: ARA - John A. Bushnell *JB* Acting

The Sale of Military Training to Argentina

ISSUE FOR DECISION

Whether to approve the sale of technical U.S. military training for Argentine officers and enlisted men.

ESSENTIAL FACTORS

The three Argentine military services have asked to purchase training at U.S. military schools for 68 students in FY 1978. Buenos Aires 0261 (Tab 1) contains a listing of the courses and prospective attendance.

In reaction to the human rights situation, we are now severely limiting arms sales but have not previously restricted the sale of training. The Fiscal Year 1978 foreign assistance appropriations legislation prohibits the furnishing of grant military education and training (IMET) for Argentina. There is no legal bar to the FMS sale of the requested training so long as the relevant contracts are concluded before October 1, 1978, the effective date of the Kennedy/Humphrey Amendment (620B of the FAA) which will prohibit sales of training and equipment to Argentina.

Ambassador Castro has made a strong and urgent appeal that we not close our doors completely to the Argentine military and that we approve the training, thereby giving him "at the very least some breathing space to contemplate how we can move the Argentine Human Rights situation one more step toward improvement."

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Our Ambassador made his request after a meeting with General Viola, President Videla's closest military adviser and known for his espousal of "dialogue" with the political parties and unions. Viola and other senior Argentine officers have told us privately that a cutoff of training, at a time when arms transfers have been virtually halted, would be counter-productive. Our Embassy speculates that our military group might be expelled.

The Ambassador urged Departmental action in early December, but we held it up in the hope that there would be favorable human rights developments. December did bring the release of approximately 300 prisoners. (Buenos Aires 0318 - Tab 2) -- including a few U.S. interest cases -- but also the bizarre kidnapping of 13 people from a church, including a number of mothers of disappeared individuals and two French nuns. President Giscard d'Estaing's appeal on behalf of the nuns has been to no avail. While elements of the Argentine security forces are almost certainly responsible for the kidnappings, they acted without central authorization. We have no hard information on details. On December 18, according to the press, President Videla denied that he told President Carter that he would have good news at Christmas. Videla explained that this was a hope.

THE OPTIONS

1. Agree to sell the training as a routine transaction.

Pros:

- would strengthen Ambassador Castro's credibility with military moderates at the Presidency (Videla and Viola);
- would preserve access to Argentine military leaders during the crucial period preceding the October 1 cut-off;
- might slightly increase our leverage on human rights issues by demonstrating our willingness to maintain contacts of interest to the Argentines even as we press for changes.

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Cons:

- would arouse sharp criticism from public and Congressional advocates of a strong human rights policy and possibly be seen as an attempt to circumvent the intent of the Congress in prohibiting grant training assistance;
- would appear to contradict our refusal to issue licenses for military commercial and munitions list items;
- would be inconsistent with our votes against Argentine economic aid in the IFI's; and
- might lead Argentines to believe we were prepared to resume "business as usual" in total disregard of our human rights objectives.

2. Agree to sell training subject to three conditions:

- that we first obtain general acquiescence from key members of Congress: Senator Kennedy and Congressman Roybal, authors of restrictive legislation, and Senator Sarbanes and Congressman Yatron, Chairmen of Inter-American Subcommittees;
- that we make it clear to General Viola that we cannot accept for training any Argentine who has been accused of implication in human rights abuses; and
- that our Embassy be instructed to screen all candidates very carefully.

Pros:

- if we succeed in obtaining Congressional acquiescence, some -- but not all -- Congressional criticism would be blunted;
- it would make clear to the Argentines that we are still prepared to cooperate, but that no aspect of our relationship is unaffected by their human rights performance;
- would enhance Ambassador Castro's position.

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Cons:

- the attempt to condition selection might be rejected by the Argentines;
- the inconsistencies with regard to our military sales and IFI policies noted for Option 1 would still apply;
- most public comment in the U.S. would still be caustic.

3. Inform General Viola that we are in principle prepared to sell the training Argentina is seeking, but cannot so long as the disappearances continue and action is not taken against those believed to be responsible.

Pros:

- would demonstrate that we want to help General Viola and President Videla but cannot unless they first take serious actions to moderate the regime's more repressive practices;
- would put their alleged moderating influence -- and their ability to deliver -- to a test;
- would put us in a better position to argue to Congress that we had used our military association with Argentina in order to achieve genuine improvements there.

Cons:

- would weaken rather than enhance our Ambassador's access to the Presidency;
- linking the training to the ending of disappearances -- something over which Viola and Videla have at most only partial control -- would strike Viola as a rather unimaginative way of saying "no".
- might contribute to a serious cooling in relations, impacting prejudicially on our overall interests, including non-proliferation.

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4. Inform General Viola that it is impossible to provide this training under present circumstances, and inform him that we may reconsider if human rights conditions improve.

Pros and Cons the same as Option 2, except that there would be less inducement to expect resumption of military ties even if human rights conditions improved.

RECOMMENDATIONS

That you approve Option 2, authorizing ARA and H to seek acquiescence from Congress for the approval of training for carefully screened candidates (favored by ARA, PM, and H).

Approve _____

Disapprove _____

ALTERNATIVELY, that you approve Option 3, informing General Viola that we would like to sell Argentine military training, but cannot do so while the disappearances continue, and action is not taken against those suspected of being responsible (favored by S/P).

Approve _____

Disapprove _____

ALTERNATIVELY, that you approve Option 4, informing General Viola that it is impossible to provide the training under present circumstances, and that we may reconsider if human rights conditions improve (favored by HA).

Approve _____

Disapprove _____

ALTERNATIVELY, that you approve Option 1, informing General Viola that we approve the sale of training as requested.

Approve _____

Disapprove _____

Attachments:

1. Buenos Aires 0261
2. Buenos Aires 0318

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Concurrences: HA:FOJones *hyle*
H:DGelber (draft) *hyle*
ARA/RPP:SQigg (draft) *hyle*
ARA:FMc *hyle*
ARA:RAREllano *hyle*
ARA/ECA:RWZimmerman *hyle*
S/P:JWalker *hyle*
L/PM:EBorek (draft) *hyle*

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